



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : Geoffrey Manning
Serial No. : 09/929,447
Filed : August 14, 2001
Title : WORKBENCH
Docket No. : 534334-013
Art Unit : 3725
Examiner : Shelley M Self

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION

AND WITHDRAWAL OF ABANDONMENT (37 CFR 1.181)

In response to the Notice of Abandonment mailed March July 2, 2003, applicant respectfully requests reconsideration and withdrawal of the holding of abandonment as explained below.

The basis for issuance of the Notice of Abandonment was alleged failure to timely respond to the Office action mailed October 2, 2002. However, an appropriate response to the action was timely filed on December 31, 2002. A copy of the response is attached as "Exhibit A" and includes a Transmittal Form, Amendment (13 pages) and postcard (copy). The transmittal Form has the appropriate Certificate of Mailing filled out and executed by the undersigned attorney on December 20, 2002. A copy of the return post card stamped by the U.S. Patent and Trademark Office on December 31, 2002 to indicate receipt of the subject response is also enclosed.

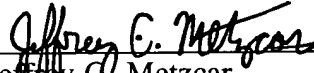
The above illustrates that a timely response was filed in this case on December 31, 2002, and the Notice of Abandonment should not have been issued. Accordingly, withdrawal

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of the Notice of Abandonment and action on the response mailed December 20, 2002 is respectfully requested.

Please direct any questions regarding this amendment or application to applicant's undersigned attorney at the telephone number indicated below.

Respectfully submitted,



Jeffrey C. Metzcar
Reg. No. 52,027

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Papers Transmittal Letter, Amendment (13 pgs),

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DEC 8 2003

Inventor(s) Geoffrey Manning

Title WORKBENCH

12/31/02 amend filed

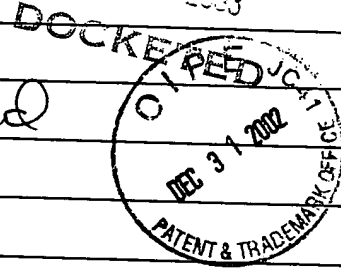
Serial No. 09/929,447

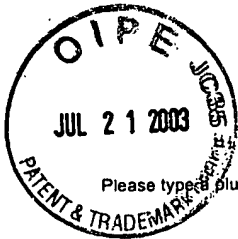
Docket No. 534334-013

Date Due January 2, 2003

Client Name Marks & Clerk

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EXHIBIT A

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PTO/SB/21 (08-00)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/929,447	
	Filing Date	August 14, 2001	
	First Named Inventor	Geoffrey Manning	
	Group Art Unit	3725	
	Examiner Name	Shelley M. Self	
Total Number of Pages in This Submission	14	Attorney Docket Number	534334-013

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply (13 pgs.)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Post Card
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Commissioner is hereby authorized to charge any additional fees required (including the fee for any extension of time), or to credit any overpayment, to Deposit Acct No.: 20-0809.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thompson Hine LLP 2000 Courthouse Plaza NE, 10 West Second Street Dayton, Ohio 45402-1758
Signature	Jeffrey C. Metzcar
Date	12/20/02

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 12/20/02			
Typed or printed name	Jeffrey C. Metzcar		
Signature	Jeffrey C. Metzcar	Date	12/20/02

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12/20/02

(Date of Deposit)

Jeffrey C. Melzer
Attorney

52,027

Reg. No.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant : Geoffrey Manning
Serial No. : 09/929,447
Filed : August 14, 2001
Title : WORKBENCH
Docket : 534334-013
Examiner : Shelley M. Self
Art Unit : 3725

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

AMENDMENT

In response to the Office action dated October 2, 2002, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Replace the fourth full paragraph on page 1 with the following replacement paragraph:

B1
The workbench may comprise a work surface (also referred to herein as a work top). The work surface may have an edge and the stop may be moveable perpendicularly to the edge and clampable with respect to the work surface. The stop may be elongated and may be clampable substantially parallel to the edge.

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Replace the third full paragraph on page 5 with the following replacement paragraph:

B2
A work fence 13 has an end 13A located on the bench 11 by way of clamp 14. The end 13A can be displaced along a side 15 of the work top 12 to allow for ready variation in, and securing of, the position of the fence 13 on the work top 12. A given position can, if necessary, be established or identified with reference to a scale S1. The fence 13 is similarly equipped at its end 13B with a clamp 16 for establishing the position of the end 13B if necessary with reference to scale S2.

Replace the first full paragraph on page 6 with the following replacement paragraph:

B3
The location V3 is fitted with the plate P3 which has mounted on it a jigsaw (lying beneath the plate P3) whose cutting head 20 is shown projecting above the surface of the work top 12. The jigsaw is powered by way of the power supply block S.

Replace the third full paragraph on page 6 with the following replacement paragraph:

B4
Location H1 is fitted with a mounting 30 for the demountable retention of a planer 31 whose cutting rotor 32 is rotatable about a vertical axis A1. The thickness of cut can be varied by means of controls on the planer 31. The planer 31 is coupled to the power supply block S.

Replace the first full paragraph on page 9 with the following replacement paragraph:

B5
When the power tool is to be mounted to the workbench, the appropriate template 50 is first mounted to the workbench by the clamping arrangement illustrated in Figure 3. The power tool is then mounted and secured by the clamping arrangement shown in Figure 4. In particular, after mounting the template 50, the wing nut 62 releases the lever 60 so that the power tool may be placed in the correct position by the template 50. The lever 60 is then positioned so that its end 64 abuts below the plate 65 and the wing nut is manually tightened so as to secure the power tool in position against the lower surface of the work top 12.

Replace the first full paragraph on page 10 with the following replacement paragraph:

Be
The cut line A shown in Figures 1 and 2 is defined by the cutting directions of the power cutting tools mounted to the workbench. In the illustrated examples, the jigsaw blade 20 and the circular saw blade 18 have well-defined cutting directions and these are collinear to define the cut line A in the work top 12 of the workbench. The router tool 17 does not have a single direction of cut but does have an axis of rotation and this axis is intersected by the cut line A so as to define a common cut line for all of the power cutting tools parallel to the front edge 4 of the workbench. The work fence 13 is adjustable in a direction perpendicular to the edge 4 and can be clamped by means of the clamps 14 and 16 shown in Figure 2 so as to be parallel to the cut line A and the edge 4.

IN THE CLAIMS:

Cancel claims 1-6, 8-10, 14 and 17-24.

Amend claim 7 to read as follows:

7. (Amended) A transportable workbench comprising:

Be
a plurality of locations, each of which defines an aperture for passage of a tool of a power tool;

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations; and

a work surface having an edge, said stop being movable perpendicularly to said edge and being clampable with respect to said work surface;

wherein said locations comprise at least two locations at said work surface for mounting respective ones of said power tools having cutting tools defining a single cutting line; and

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B7 at least one scale for positioning said stop and having a reference mark intersected by said cutting line.

Amend claim 11 to read as follows:

B8 11. (Amended) A transportable workbench comprising:

a plurality of locations, each of which defines an aperture for passage of a tool of a power tool;

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations;

a work surface; and

an upstanding plate projecting substantially perpendicularly from said work surface;

wherein said locations comprise at least two locations at said plate.

Amend claim 15 to read as follows:

B9 15. (Amended) A transportable workbench comprising:

a plurality of locations, each of which defines an aperture for passage of a tool of a power tool; and

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations;

wherein each of said locations comprises a template for positioning said power tool with respect to said workbench and a clamping arrangement for clamping said power tool to said workbench; and

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wherein said clamping arrangement comprises at least one lever mounted on and pivotable with respect to said template for urging said template against said workbench.

B9 Amend claim 16 to read as follows:

16. (Amended) A transportable workbench comprising:

a plurality of locations, each of which defines an aperture for passage of a tool of a power tool; and

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations;

wherein each of said locations comprises a template for positioning said power tool with respect to said workbench and a clamping arrangement for clamping said power tool to said workbench; and

wherein said clamping arrangement comprises at least one lever mounted on and pivotable with respect to said template for urging said power tool against said workbench.

Amend claim 25 to read as follows:

B10 25. (Amended) A transportable workbench comprising:

a table top having a work surface with a longitudinal edge, the table top having a plurality of apertures therethrough, said apertures being shaped to receive a plurality of power tool tools;

at least two of said apertures being positioned on said table top such that associated power tool tools extending therefrom form a cutting line, substantially parallel to said edge, for performing a plurality of machining operations on a single workpiece with a single pass;

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a stop extending upwardly from said work surface and adjustably mountable on said table top adjacent to said apertures for guiding a workpiece during a machining operation by a selected one of said associated power tools;

a plate mounted on said table top and extending substantially upwardly therefrom, said plate having an aperture for receiving power tool tools;

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P a source of electrical power for associated power tools mounted on said workbench, said power source being mounted on said workbench and connectable to an external power source and having a power shut-off switch for shutting off power to said associated power tools;

a scale mounted on the work surface for positioning said stop and having a reference mark thereon intersected by said cutting line; and

a template shaped to receive and attach to a specific power tool and a clamp for attaching said template and said associated power tool to said table top, said clamp including a pivoting lever for urging said associated power tool against said table top.

REMARKS

The specification has been amended to use consistent terminology. Applicant respectfully submits that these amendments overcome the Examiner's objection to the drawings and that no new drawings are necessary. Claims 1-6, 8-10, 14 and 17-24, which were rejected by the Examiner, have been cancelled. Claims 7, 11, 15, 16 and 25 have been amended. Reconsideration of the application is respectfully requested.

OBJECTION TO THE DRAWINGS

The Examiner has objected to the drawings because the reference character "12" has been used to designate both the "work top", the "work surface" and the "bench top." It is respectfully submitted that the Examiner's objection arises out of a deficiency in the written description rather than the drawings. The terms "work top," "work surface" and "bench top" are intended to be used synonymously as indicated by the drawings, which utilized the reference character "12"

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consistently to identify the same element. By this Amendment the term "bench top" has been removed and the written description has been amended in order to clarify that the terms "work surface" and "work top" may be used interchangeably. Accordingly, applicant respectfully submits that the Examiner's objection to the drawings has been overcome by the amendment to the written description.

OBJECTION TO THE SPECIFICATION

The applicant has amended the specification as requested to correct the identified informalities. In addition, other minor informalities and typographical errors have been corrected.

CLAIM REJECTIONS

Claims 1-6, 8-10, 14 and 17-24

Claims 1-6, 8-10, 14 and 17-24 have been rejected under 35 USC §§102 and/or 103. These claims have been cancelled.

Claim 7

Claim 7 has been rejected under 35 USC §112 as being indefinite. In particular, the Examiner has asserted that the term "reference mark" in Claim 7 lacks antecedent basis. The Examiner has not rejected Claim 7 on the basis of any prior art.

It is respectfully submitted that sufficient antecedent basis for Claim 7 and the term "reference mark" is provided in the written description in the last paragraph of page 7. Specifically, the specification states "The cut line A is parallel to the front edge 4 and intersects or passes through the zero reference points or markers of the scales S1 and S2." The Examiner has already preliminarily agreed to this point during a telephone call with applicant's attorney in early December. Accordingly, applicant has rewritten Claim 7 in independent form so as not to depend from any rejected base claim. Applicant respectfully submits, on these grounds, that Claim 7 is now in condition for allowance.

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Claims 11-13, 15 and 16

Claims 11-13, 15 and 16 have been objected to only as being dependent upon a rejected base claim. The Examiner has indicated that these claims would be allowable if rewritten in independent form. Accordingly, claims 11, 15 and 16 have been amended as requested to include all of the limitations of the base claim and any intervening claims. Claims 12 and 13 now depend from independent Claim 11, which is believed to be allowable, so that no amendment to these claims is necessary. Prompt notice of allowance with respect to Claims 11-13, 15 and 16 is respectfully requested.

Claim 25

Claim 25 has also been rejected under 35 USC §112 as being indefinite. In particular, the Examiner has asserted that the term "tool attachment assembly" in Claim 25 lacks antecedent basis. The Examiner has not rejected Claim 25 on the basis of any prior art and has indicated that Claim 25 would be allowable if the §112 rejection were overcome.

In response to the Examiner's rejection Claim 25 has been amended by removing the term "tool attachment assembly." Applicant respectfully submits that the amendment overcomes the rejection and that Claim 25 is now in condition for allowance.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made."

Respectfully submitted,



Jeffrey C. Metzcar, Reg. No. 52,027

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Dayton, Ohio 45402-1758
937-443-6816

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

Page 1, fourth full paragraph:

The workbench may comprise a work surface (also referred to herein as a work top). The work surface may have an edge and the stop may be moveable perpendicularly to the edge and clampable with respect to the work surface. The stop may be elongated and may be clampable substantially parallel to the edge.

Page 5, third full paragraph:

A work fence 13 has an end 13A located on the bench 11 by way of clamp 14. The end [13] 13A can be displaced along a side 15 of the work top 12 to allow for ready variation in, and securing of, the position of the fence 13 on the work top 12. A given position can, if necessary, be established or identified with reference to a scale S1. The fence 13 is similarly equipped at its end 13B with a clamp 16 for establishing the position of the end 13B if necessary with reference to scale S2.

Page 6, first full paragraph:

The location V3 is fitted with the plate P3 which has mounted on it a [jig saw] jigsaw (lying beneath the plate P3) whose cutting head 20 is shown projecting above the [work surface 12] surface of the work top 12. The jigsaw is powered by way of the power supply block S.

Page 6, third full paragraph:

Location H1 is fitted with a mounting 30 for the demountable retention of a [plane 31] planer 31 whose cutting rotor 32 is rotatable about a vertical axis A1. The thickness of cut can be varied by means of controls on the [plane 31] planer 31. The [plane] planer 31 is coupled to the power supply block S.

Page 9, first full paragraph:

When the power tool is to be mounted to the workbench, the appropriate template 50 is first mounted to the workbench by the clamping arrangement illustrated in Figure 3. The power tool is then mounted and secured by the clamping arrangement shown in Figure 4. In particular, after mounting the template 50, the wing nut 62 releases the lever 60 so that the power tool may be placed in the correct position by the template 50. The lever 60 is then positioned so that its end 64 abuts below the plate 65 and the wing nut is manually tightened so as to secure the power tool in position against the lower surface of the [bench top 12] work top 12.

Page 10, first full paragraph:

The cut line A shown in Figures 1 and 2 is defined by the cutting directions of the power cutting tools mounted to the workbench. In the illustrated examples, the jigsaw blade 20 and the circular saw blade 18 have well-defined cutting directions and these are collinear to define the cut line A in the [surface 12] work top 12 of the workbench. The router tool 17 does not have a single direction of cut but does have an axis of rotation and this axis is intersected by the cut line A so as to define a common cut line for all of the power cutting tools parallel to the front edge 4 of the workbench. The work fence 13 is adjustable in a direction perpendicular to the edge 4 and can be clamped by means of the clamps 14 and 16 shown in Figure 2 so as to be parallel to the cut line A and the edge 4.

IN THE CLAIMS:

7. (Amended) [A workbench as claimed in claim 5,] A transportable workbench comprising:
a plurality of locations, each of which defines an aperture for passage of a tool of a power tool;

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations; and

a work surface having an edge, said stop being movable perpendicularly to said edge and being clampable with respect to said work surface;

wherein said locations comprise at least two locations at said work surface for mounting respective ones of said power tools having cutting tools defining a single cutting line; and

at least one scale for positioning said stop and having a reference mark intersected by said cutting line.

11. (Amended) [A workbench as claimed in claim 10, in which] A transportable workbench comprising:

a plurality of locations, each of which defines an aperture for passage of a tool of a power tool;

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations;

a work surface; and

an upstanding plate projecting substantially perpendicularly from said work surface;

wherein said locations comprise at least two locations at said plate.

15. (Amended) [A workbench as claimed in claim 14, in which] A transportable workbench comprising:

a plurality of locations, each of which defines an aperture for passage of a tool of a power tool; and

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations;

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wherein each of said locations comprises a template for positioning said power tool with respect to said workbench and a clamping arrangement for clamping said power tool to said workbench; and

wherein said clamping arrangement comprises at least one lever mounted on and pivotable with respect to said template for urging said template against said workbench.

16. (Amended) [A workbench as claimed in claim 14, in which] A transportable workbench comprising:

a plurality of locations, each of which defines an aperture for passage of a tool of a power tool; and

a single adjustable stop for guiding a workpiece during a machining operation with respect to any one of said locations;

wherein each of said locations comprises a template for positioning said power tool with respect to said workbench and a clamping arrangement for clamping said power tool to said workbench; and

wherein said clamping arrangement comprises at least one lever mounted on and pivotable with respect to said template for urging said power tool against said workbench.

25. (Amended) A transportable workbench comprising:

a table top having a work surface with a longitudinal edge, the table top having a plurality of apertures therethrough, said apertures being shaped to receive a plurality of power tool tools;

[a] at least two of said apertures being positioned on said table top such that associated power tool tools extending therefrom form a cutting line, substantially parallel to said edge, for performing a plurality of machining operations on a single workpiece with a single pass;

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a stop extending upwardly from said work surface and adjustably mountable on said table top adjacent to said apertures for guiding a workpiece during a machining operation by a selected one of said associated power tools;

a plate mounted on said table top and extending substantially upwardly therefrom, said plate having an aperture for receiving power tool tools;

a source of electrical power for associated power tools mounted on said workbench, said power source being mounted on said workbench and connectable to an external power source and having a power shut-off switch for shutting off power to said associated power tools;

a scale mounted on the work surface for positioning said stop and having a reference mark thereon intersected by said cutting line; and

[a tool attachment assembly including] a template shaped to receive and attach to a specific power tool and a clamp for attaching said template and said associated power tool to said table top, said clamp including a pivoting lever for urging said associated power tool against said table top.